



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Board of County Commissioners

Tuesday, June 21, 2005

9:30 AM

Commission Chamber

111 NW First Street, Suite 250
Miami, Florida 33128
305-375-4354

**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

Legislative Analysis

**Board of County Commissioners
Meeting Agenda
June 21, 2005**

Written analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

2(A)(1)	7(B)
8(A)(1)(A)	8(A)(1)(I)
8(F)(1)(A)	8(J)(1)(A)
BCC/COSHAC Item 4(B)	14(A)(8), (9), (10), (11)
14(A)(25)	15(B)(5)

If you require further analysis of these or any other agenda items, please contact Gary Collins, Acting Chief Legislative Analyst, at (305) 375-1826.

Acknowledgements--Analyses prepared by:

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LEGISLATIVE ANALYSIS

ITEM 2(A)1 MAYORAL VETO

*ITEM 5(AA) ALT. ORDINANCE CHANGING BOUNDARIES OF CITY OF
FLORIDA CITY*

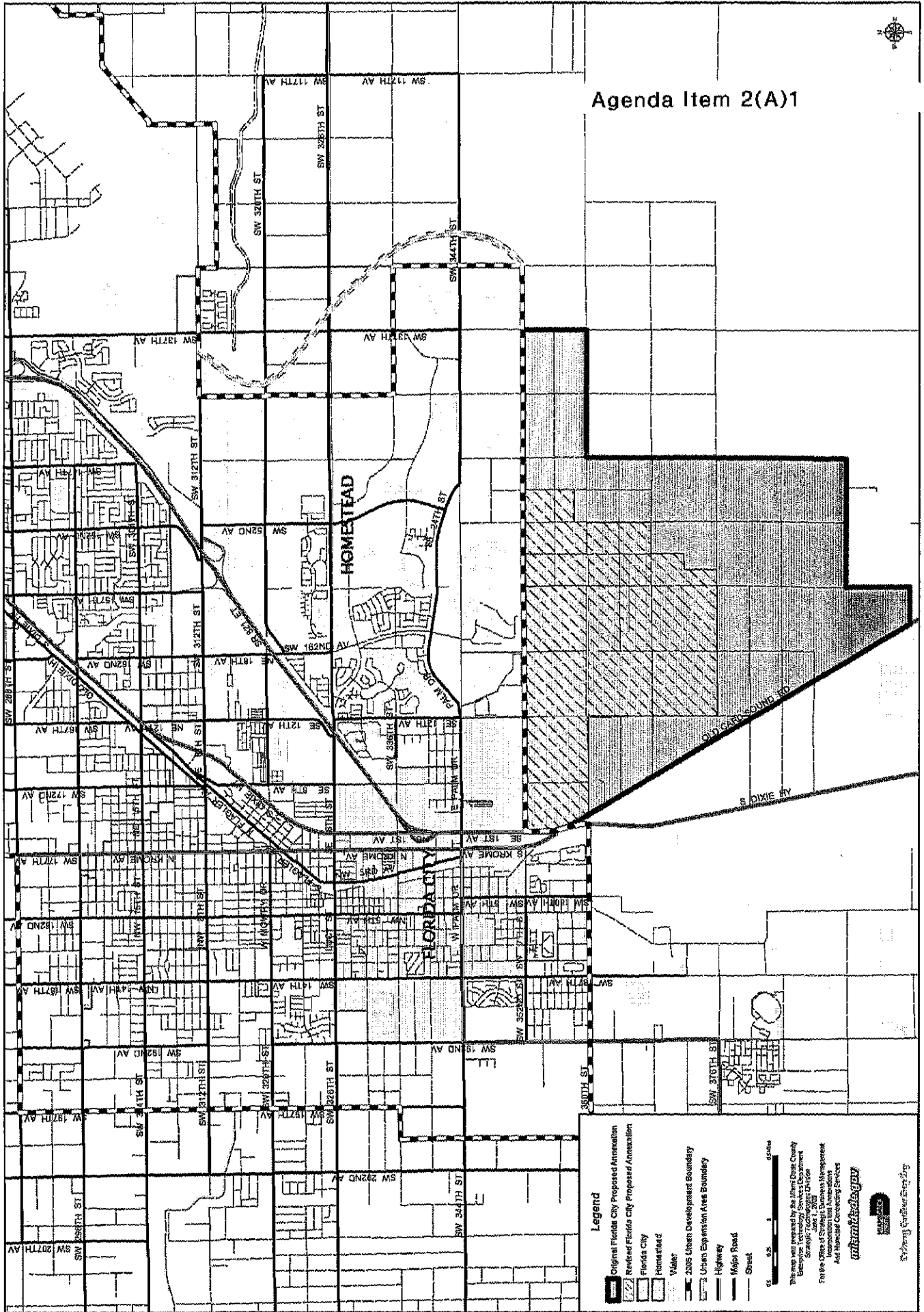
Commissioner Dennis C. Moss

I. SUMMARY

- A map (attachment) has been provided to illustrate the respective boundaries for the Florida City Annexation.
 - The map includes:
 - The Current Florida City Boundaries
 - The Original Florida City Proposed Annexation
 - The Alternative Florida City Proposed Annexation
 - The 2005 Urban Development Boundary
 - The Urban Expansion Area Boundary

Miami-Dade County Florida City Proposed Annexation

Agenda Item 2(A)1



Legend

- Original Florida City Proposed Annexation
- Florida City
- Homestead
- Water
- 2005 Urban Development Boundary
- Urban Expansion Area Boundary
- Highway
- Major Road
- Street

0.5 1 2 Miles

This map was prepared by the Miami-Dade County
Bentley Technology Services Department
on January 1, 2003
For the Office of Strategic Business Management
And Financial Services

unitedtechnology

unitedtechnology

Creating Smarter Decisions

LEGISLATIVE ANALYSIS

ORDINANCE AMENDING SECTION 26-33 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO THE PROGRAMMING PARTNERSHIP PROGRAM; IMPOSING IDENTIFICATION REQUIREMENTS AND REQUIRING PROOF OF LEGAL IMMIGRANT STATUS ON PERSONS VOLUNTEERING AND WORKING FOR PROGRAMMING PARTNERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Commissioner Javier D. Souto

I. SUMMARY

U.S. employers must check to make sure all employees, regardless of citizenship or national origin, are allowed to work in the United States. Certain persons may need a work permit to prove they are authorized work in the United States, and certain persons are excepted from needing a work permit.

This ordinance provides that all Programming Partner staff must show proof of legal immigrant status. It also provides that Programming Partner staff and permanent volunteer coaches must wear photo identification while on County property and when in direct contact with program participants.

II. PRESENT SITUATION

Programming Partners provides a vehicle for the Park and Recreation Department to build collaborative relationships with Programming Partners through a process that fosters quality, equity and diversity in recreational and cultural programming opportunities, while ensuring that both the County and its Partners are accountable for the stewardship of County Park and Recreation Facilities. Programming Partners are not-for-profit program service providers that are selected by the Department to provide programs in County Park and Recreation Facilities. (See Chapter 26, Article II of the Code, Programming Partner Program, and Administration Order 3-36)

According to the Park and Recreation Department, most Programming Partner organizations are volunteer organizations for youth-oriented activities at County parks.

III. POLICY CHANGE AND IMPLICATION

This ordinance provides that:

- All Programming Partner staff must show proof of legal immigrant status.
- The programming Partner shall keep the records of background checks (already required of staff and volunteers with direct contact with program participants), proof of immigration status.
- Programming Partner staff and permanent volunteer coaches must wear photo identification while on County property and when in direct contact with program participants.

IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

The proposal does not specifically require the Programming Partner organization to provide the picture identification for staff and permanent volunteer coaches, only that such persons wear one. However, both the staff memorandum and IRCA committee discussion anticipated that the Programming Partners must provide the photo identification.

The proposal does not require temporary volunteer coaches and other volunteers with direct contact with program participants to display picture identification.

LEGISLATIVE ANALYSIS

***RESOLUTION APPROVING AN AGREEMENT FOR INDEPENDENT CLAIMS
CONSULTING SERVICES FOR THE MIAMI-DADE AVIATION DEPARTMENT***

Aviation Department

I. SUMMARY

This resolution is being proposed for the approval of the Board of County Commission. The resolution is an agreement with Alpha Construction and Engineering Corporation to provide independent claims consulting services for the Miami-Dade Aviation Department (MDAD).

II. PRESENT SITUATION

- There are currently many claims pending due to incidents that have taken place on the North Terminal Development (NTD) project at Miami International Airport (MLA).
- Trade contractors and Subcontractors have submitted claims against Turner-Austin and American Airlines for over \$151 million with additional exposure in excess of \$18 million.
- Some of the claims have begun formal litigation.
- MDAD has also expressed that more claims may be filed in the future due to incidents in the past.
- It was stated at the June 8th, 2005, RTC Meeting that Turner-Austin failed to process approximately 1300 change orders.

III. POLICY CHANGE AND IMPLICATION

- Approving this agreement will allow Alpha Construction and Engineering Corporation to provide independent claims consulting services for the Miami-Dade Aviation Department (MDAD).
- MDAD has recommended the assistance with resolving these claims due to the high quantity and complexity of aviation agreements in dispute.
- Alpha was chosen after Request for Proposals (RFPs) were sent to five (5) nationally recognized claims consultant firms and a selection committee narrowed the respondents down to three (3) finalists.
- MDAD believes Alpha's knowledge and involvement with the NTD as well as their experience and expertise in the market of claims consulting will be beneficial.

IV. ECONOMIC IMPACT

- 5 year agreement for \$12,529,051 [Agreement for up to five (5) years in separate terms of one-year].

V. COMMENTS AND QUESTIONS

Inquiries made with the Aviation Department and County Attorney's Office.
Answers are still pending.

- In the past, have we used other firms for claims consulting or dispute resolution on aviation projects?
- If so, how did they perform?
- Did we have any issues or concerns?
- Current Claim Totals?

LEGISLATIVE ANALYSIS

RESOLUTION WAIVING FORMAL BID PROCEDURES AND PROVISIONS OF SECTION 2-8.1(B) CODE OF MIAMI-DADE COUNTY AND APPROVING AGREEMENT WITH PARSONS/ODEBRECHT JOINT VENTURE (POJV) FOR A MANAGING GENERAL CONTRACTOR CONTRACT FOR THE NORTH TERMINAL DEVELOPMENT CONSOLIDATION PROGRAM AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING AVIATION DIRECTOR OR DESIGNEE TO EXECUTE ANNEXES AND WORK ORDERS; AUTHORIZING COUNTY MANAGER TO EXECUTE SAME AND EXERCISE CANCELLATION AND OTHER PROVISIONS CONTAINED THEREIN; AND WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-377-04

Miami-Dade Aviation Department

I. SUMMARY

This Resolution would approve an awarding of a Contract with **Parson/Odebrecht Joint Venture (POJV)** as the Managing General Contractor for the North Terminal Development Consolidation Program (North Terminal).

II. PRESENT SITUATION

North Terminal Timeline

1993 – The Metro Dade County Board of County Commissioners agrees to build a new terminal known as “Super A” at the north end of the Miami International Airport.

- As part of the agreement, American Airlines agreed to:
 - Boost the number of flights out of MIA.
 - Hire thousands of people with preference given to former employees of *United* and *Eastern Airlines*.

1994 – Dade County approves and begins coordinating a decade long Capital Improvement Program (CIP) for MIA.

1995 – *May 19* – Metro Dade Commissioners approve plan to build **\$910 million** North Terminal.

October 3 – BCC approves Lease, Construction, and Financing Agreement (LCFA) with American Airlines to oversee construction of North Terminal for **\$974.9 million**. (Up \$64 million from original estimates)

1997 – American Airlines brings in Corgan Terminal Designers and **Turner Austin Airport Team** to oversee development of North Terminal.

1999 – *July 27* – County approves American Airlines’ request an increase of \$330 million for additional costs. **New Total: \$1.304 Billion**

BCC ITEM 8(A)(1)(I)

June 21, 2005

2001 – September 11 – Airline Industry feels negative effects of the events of this day.

2002 – January – County approves the elimination of a 250 flight-per-day requirement for American Airlines.

February – American Airlines seeks an additional \$320 million for cost overruns.

March – After highly publicized dispute over cost overruns, and threats by American Airlines to pull out of the project, the County and AA agree to an increase of \$211 million. New total: \$1.515 Billion

- **At this time, American Airlines vows not to come to the County for more money.**

2004 – Former Aviation Director suggests that Miami-Dade County should take over management of the North Terminal Project.

June – Director Gittens writes memo to County Manager suggesting that the North Terminal is another \$87 million over budget and is 18 months behind schedule. (States again that the County should take over the project).

- **MDAD is put on Management Watch**

July – American Airlines refuses to accept responsibility for \$66 million of the additional overruns.

- American Airlines and Miami-Dade County begin negotiation regarding additional cost overruns.

July – The County and American Airlines come to an agreement.

New Project Total: Estimated \$1.62 Billion

October – Former Director Gittens is stripped of oversight over construction projects at MIA.

November – Director Angela Gittens resigns.

2005 – February 9 – Miami Herald reports that interim Aviation Director Dr. Carlos Bonzon states actual cost overruns for North Terminal may be in area of \$256 million.

May 26 – Board of County Commissioners' Regional Transportation Committee Approves item allowing for Miami-Dade County to assume control over management of the North Terminal Project from American Airlines.

New estimate for total project cost: Over \$2 Billion.

III. POLICY CHANGE AND IMPLICATION

This Agenda Item would waive requirements of Resolution No. 377-04 related to contract effective date and ability of Board to reconsider said contract.

Further, this item requests a waiver of Florida Statutes 255.20(c) with regards to Public Contracting.

IV. ECONOMIC IMPACT

This agenda Item estimates it will require an additional \$542,041,500 in order to complete the North Terminal Project.

Parsons Odebrecht is "guaranteed a minimum" earned fee of \$17.3 million, up to \$36.7 million for oversight of this project.

V. COMMENTS AND QUESTIONS

During the Public Hearing at the Regional Transportation Committee on June 8, 2005, *Turner Austin Airport Team* contended that they were discouraged, by *American Airlines* from submitting a proposal for this contract.

Further, there was some concern as to whether the contract being awarded was substantially different from the type of contract that was originally advertised.

Some of the issues that were identified as "changed" were:

- **Guaranteed amount paid to contactor**
- **Total liability accepted by the contractor**

June 21, 2005

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

***SALE OF (50) COUNTY-OWNED LOTS FOR INFILL HOUSING BID NO. 7 AND RE-
AWARDING OF SIX LOTS FOR INFILL HOUSING BID NO. 6.***

General Services Administration Department

I. SUMMARY

This resolution facilitates the sale of fifty (50) parcels of land from Invitation to Bid No. 7, divided by location, to five companies for a total of \$920,698. Each parcel must be developed into affordable housing according to the guidelines of the Infill Housing Initiative.

This resolution also awards six (6) parcels of land from Invitation to Bid No. 6 to American Construction & Financing Corp. for \$25,000 since the original bid winner withdrew from the sale. This item further recommends that any County liens be released on said properties.

II. PRESENT SITUATION

Currently, American Construction & Finance Corp. was the next highest bidder from Invitation to Bid No. 6 following the withdrawal of Atlantic Realty Ventures, LLC.

Company	Number of Lots from Bid No. 6	Number of Lots from Bid No. 7
American Construction & Financing Corp.	6	2
Lancaster Homes & Construction	-	35
Kiawah Properties Corp.	-	4
Affordable Housing Programs, Inc.	-	3
Rosewood Housing LLC.	-	6

III. POLICY CHANGE AND IMPLICATION

This item is consistent with the County's current policy regarding infill housing and the re-awarding of bids.

IV. ECONOMIC IMPACT

This resolution facilitates the sale of:

- (50) parcels of land from Invitation to Bid No.7 totaling \$920,698; and
- (6) parcels of land from Invitation to Bid No. 6 totaling \$25,000.

V. COMMENTS AND QUESTIONS

None.

LEGISLATIVE ANALYSIS

RESOLUTION APPROVING SETTLEMENT AGREEMENT IN THE AMOUNT OF \$100,000 BETWEEN MIAMI-DADE COUNTY AND GREAT AMERICAN INSURANCE COMPANY FOR CLAIMS RELATED TO GREAT AMERICAN'S INSURED, HEARD COMMUNICATIONS, INC., D/B/A GATEWAY OUTDOOR ADVERTISING, FOR OUTSTANDING PAYMENTS TO MIAMI-DADE TRANSIT UNDER CONTRACT NO. TA92-OMT

Miami-Dade Transit Agency

I. SUMMARY

This item seeks approval of a settlement with Great American Insurance Company (Great American) for \$100,000.

Great American provided insurance for Heard Communications, Inc. d/b/a **Gateway Outdoor Advertising (Gateway)** in conjunction with Gateway's contract (No. TA92-OMT), with the County, for advertising rights on Miami-Dade Transit Buses, as well as at Metrorail Stations.

II. PRESENT SITUATION

In December 1991, the Board of County Commissioners approved contract TA92-OMT with Gateway Outdoor Advertising, Inc., allowing Gateway to sell and provide advertising on MDT Buses and at Metrorail Stations. The initial term of the contract was for 5 years through 1997. However, through options to renew and extensions, Gateway's contract was extended through 2001.

The contract called for Gateway to pay Miami-Dade County a Minimum Annual Guarantee (MAG) or 60% of the Gross Annual Revenues, whichever is greater.

The MAG for the year 2000 was \$1,949,571 (or \$155, 338 per month).

In April 2001, billing irregularities, late payments, and repeated failures by Gateway to meet the MAG resulted in an audit (No. A16702) by the County's Department of Audit & Management Services.

The audit revealed that Gateway had destroyed billing records and failed to comply with the County's request to review other records.

In early 2002, Gateway filed for Chapter 11 bankruptcy. At the time, it was estimated that Gateway still owed the County \$1,154,884.

***SEE ATTACHMENT 1**

June 21, 2005

III. POLICY CHANGE AND IMPLICATION

This settlement would release Great American from any further obligation as it relates to their representation of Gateway and Gateway's on-going litigation with Miami-Dade County.

IV. ECONOMIC IMPACT

The County would receive \$100,000 within 20 days, once the settlement agreement is executed and approved.

However, the County lost an estimated \$1.1 million in revenues as a result of Gateway's failure to live up to the terms of this contract.

V. COMMENTS AND QUESTIONS

- *What was Great American's Policy Limit for it's coverage of Gateway?*
 - \$1,000,000
- *Wouldn't this settlement prejudice the County's position as it relates to the law suit against Gateway?*
- *If the County shows it is willing to accept pennies on the dollar, will Gateway be willing to accept a settlement that calls for more?*

ATTACHMENT1



MEMORANDUM

TO: Danny Alvarez, Director
Miami-Dade Transit Agency

DATE: June 26, 2001

FROM: *Cathy Jackson*
Cathy Jackson, Director
Audit and Management Services Department

SUBJECT: Audit Report - Heard
Communications, Inc.
d/b/a Gateway Outdoor
Advertising

PURPOSE AND SCOPE

As requested, we conducted an audit of Heard Communications, Inc. d/b/a Gateway Outdoor Advertising (Gateway) for the three fiscal years ended September 30, 2000 to ascertain propriety of fees paid to Miami-Dade Transit Agency (MDTA) and assess the reasonableness of revenue projections presented in its September 2000 bid proposal. We also verified compliance with the MDTA Advertising Agreement dated December 23, 1991 for vehicles and Metrorail passenger stations.

The scope of our audit was limited by Gateway's noncompliance with Article 5, Section 5.05 - Reports of the Agreement, requiring customary accounting records be maintained, including balance sheets, profit and loss statements in conformity with generally-accepted accounting principles, during the term of the Agreement and for a minimum of three years after termination. Citing that cash receipts journals were destroyed after Gateway's annual external audit, we were unable to verify the accuracy of net revenues reported to the County during the audit period.

BACKGROUND

In 1991, the Board of County Commissioners (BCC) approved a five-year contract with Gateway to sell advertising space on MDTA vehicles and Metrorail passenger stations. Two additional two-year renewal options were approved extending the Agreement through December 31, 2000. Under the Agreement, the County received monthly the greater of a prorated annual minimum guarantee amount of \$1.75, \$1.81 and \$1.95 million for fiscal years 1998 through 2000, respectively, or 60% of net revenue. Amounts paid to the County for fiscal years 1998 through 2000 were \$1.70, \$1.12 and \$1.49 million, respectively. Commencing January 2001, Gateway was granted a one-year extension, including a 90-day termination clause to allow completion of the competitive bid selection process, with the understanding that the annual minimum guarantee would be increased to \$1.98 million or \$165,000 monthly.

In response to the Request for Proposal (RFP) dated July 21, 2000, conforming bids were accepted on September 22, 2000 from Gateway and Transportation Displays, Inc. (TDI). A bid submitted by Obie Media Corporation (Obie) was rejected due to non-compliance with County Disadvantaged Business Enterprise (DBE) certification requirements. The Selection Committee recommended that Gateway be awarded the new five-year contract based on technical and pricing aspects of its proposal.

Audit Report -- Heard Communications, Inc.
d/b/a Gateway Outdoor Advertising
Page 2

SUMMARY RESULTS

Percentage Fee Payments

Notwithstanding scope limitations discussed earlier, our audit disclosed Gateway currently owes the County \$744,387 in delinquent revenues (Table I).

Table I	
	Amount
Minimum Guarantee -- March through June 2001	\$659,359
Interest Charges	28,889
Unpaid Fee Remittance Due - October and November 1998	\$6,139
Total Delinquent Revenues	<u>\$744,387</u>

The Agreement requires Gateway to remit the annual minimum guaranteed amount in equal payments on the 1st day of each month and excess percentage revenues by the 20th of the following month. However our analysis disclosed payments were delinquent an average 61, 180 and 48 days, respectively, during each of the three years ended December 31, 2000. This notwithstanding, MDTA did not begin assessing the 18% interest penalty until April 2000, and since that time \$49,376 has been assessed, of which \$28,889 is outstanding.

Further, from January 1999 through August 1999 Gateway remitted only \$100,000 instead of the \$150,755 fee payments owed. Additionally, Gateway acknowledges it owes the County \$56,139 for revenues earned in excess of the minimum guarantee for October and November 1998.

Bid Revenue Projections

Projected revenues submitted by Gateway in its September 2000 proposal guarantees the County \$20 million over the five years, which is almost triple the \$7 million remitted for the previous comparable period (Table II).

Previous Contract		Table II			
		Proposed Minimum Guarantee			
Year	Actual Payments	Contract Year	Gateway	Obt	TDI
1996	\$ 1,279,657	1	\$ 2,500,000	\$ 1,857,000	\$ 2,100,000
1997	1,544,600	2	3,000,000	2,520,000	2,250,000
1998	1,754,060	3	4,000,000	3,410,000	2,500,000
1999	1,117,758	4	5,000,000	4,100,000	2,600,000
2000	1,493,445	5	6,000,000	4,559,000	2,700,000
	7,189,520		20,500,000	16,446,000	12,150,000
2001	1,978,076				
	<u>\$ 9,167,596</u>		<u>\$ 20,500,000</u>	<u>\$ 16,446,000</u>	<u>\$ 12,150,000</u>

Audit Report-- Heard Communications, Inc.
d/b/a Gateway Outdoor Advertising
Page 3

During the prior five-year contract period, Gateway remittances rarely exceeded the minimum guarantee. Gateway increased published rates 45% in 2001, however, based on monthly remittances to the County, the minimum annual threshold again will not be exceeded. This contradicts Gateway's projections submitted in September 2001, which assumes a 67% increase in the County's return (Table II) in the first year of the proposed contract (2001). Subsequent years reflect a 20%, 33%, 25% and 20% increase over each previous year's revenue. Except for disclosing that rates were increased 10% annually, Gateway would not divulge the methodology used in deriving its projections. Nonetheless, assuming significant sales volume growth, a 70% occupancy, comparable annual rate increases of 10%, a 30% discount rate and moderate fleet growth, the projections appear achievable.

As previously mentioned, Gateway did not make complete records available supporting reported revenues and thus, we were unable to determine propriety of revenues. Gateway's claim that it destroyed supporting records is not only a violation of contract terms, but conflicts with Internal Revenue Service regulations, which require such records be maintained for three years. Before MDTA management proceeds with contract negotiations, Gateway should bring payments current and be directed to make financial records available for further inspection.¹ Moreover, Administrative Order 3-29 prohibits awarding contracts to contractors in arrears until all monies owed are paid in full or the County has agreed with an approved payment plan.

Although Gateway plans to secure long-term financing to satisfy outstanding obligations, prior delinquent payment history raises doubts about its ability to meet proposed minimum annual revenue projections. To reduce the County's exposure, the Department should require a cash performance bond equivalent to the proposed annual minimum guarantee and strictly enforce assessment of penalties for late payments.

We would like to express our appreciation for the courtesies and assistance extended to our staff during the audit process. Please provide a written response within 30 days in accordance with Administrative Order 3-7. If you have any questions or need additional information, please contact Maria L. Reyes, Audit Manager, at 305-349-6128.

CJ:mb

cc: Tom David, Executive Assistant to County Manager
Steve Spratt, Senior Assistant to County Manager
Eric McAndrew, BCC Chief Legislative Analyst

¹According to MDTA representatives, Gateway remitted two payments aggregating \$329,680 on June 25th and June 26th, reducing the amount outstanding to \$414,707.

LEGISLATIVE ANALYSIS

RESOLUTION AUTHORIZING THE COUNTY MANAGER'S ACTION IN RECEIVING AND EXPENDING STATE FUNDS FROM THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE FOR CONTINUATION OF THE JUVENILE ALTERNATIVE SERVICES PROGRAM FOR THE MIAMI-DADE COUNTY JUVENILE ASSESSMENT CENTER; AND TO EXECUTE AGREEMENTS

County Manager

I. SUMMARY

This Resolution authorizes the County Manager to receive and expend State of Florida funds in the amount of \$582,799 to the Juvenile Assessment Center for the continuation of the Juvenile Alternative Services Program (JASP) beginning from July 1, 2005 to June 30, 2006.

II. PRESENT SITUATION

JASP provides a short-termed, structured, non-judicial alternative to juvenile probation for male and female juvenile offenders who are charged with first time felony offenses or violent first-degree misdemeanor offenses. The following services are offered to eligible youths:

- case management,
- community work service,
- restitution coordination,
- individual and family counseling,
- substance abuse and mental health screening,
- educational and vocational intervention coordination,
- life and social skills training, and
- community observation.

Funded by the State of Florida since 1982, JASP has the capacity of annually serving 1,800 youths referred by the State Attorney's Office, Department of Juvenile Justice or the Juvenile Court. Last year, according to staff, JASP served an average of 1,150 clients. The number of youths served is directly related to the amount of referrals generated by the State Attorney's Office, Department of Juvenile Justice and the Juvenile Court.

Funds received from the State of Florida for FY 2004-2005, in the amount of \$582,798.96 will expire on June 30, 2005. This is the only source of funding for this program.

III. POLICY CHANGE AND IMPLICATION

This will allow the allocation of state funds from July 1, 2005 to June 30, 2006 in the amount of \$582,799 for the continuation of JASP. The program is capable of serving 1,800 youths at a unit cost of \$323.78 per youth.

No matching funds are required.

IV. ECONOMIC IMPACT

The funding provided by the Florida Department of Juvenile Justice impacts the County positively.

The full allocation goes towards direct services. There are no administrative costs.

V. COMMENTS AND QUESTIONS

According to staff, 80% of youths served by JASP successfully complete the program, thus avoiding further costly judicial involvement.

LEGISLATIVE ANALYSIS

FOUR RESOLUTIONS AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION TO CERTAIN PROPERTIES PURSUANT TO SECTION 196.1997, AND 196.1998 FLORIDA STATUTE AND SECTION 16A-18, MIAMI-DADE COUNTY CODE

County Manager

I. SUMMARY

The four resolutions authorize ad valorem tax exemptions for the rehabilitation of four properties in Miami-Dade County, two each in Coral Gables and Miami Beach. The total tax revenue forgone from the increased value of the improvements would be \$29,873.

II. PRESENT SITUATION

According to the Property Appraiser, currently there are 95 folios with historical preservation exemptions, but this includes 57 condominium units. The taxable value for these folios is \$20,117,346, with total tax revenue forgone of \$154,401 (\$120,080 to the County and \$34,321 to Coral Gables).

III. POLICY CHANGE AND IMPLICATION

The resolutions continue the County's policy of encouraging historic preservation, as expressed in Ordinance 16A-18, since 1993. The total tax revenue forgone from the increased value of the improvements would be \$29,873.

IV. ECONOMIC IMPACT

The ad valorem tax exemption acts as an incentive to property owners to rehabilitate their historic properties, which may otherwise further deteriorate beyond the point of rehabilitation. This increases the value of the historic properties for later taxation, and properties nearby may also increase in value.

V. COMMENTS AND QUESTIONS

Coral Gables is the only municipality in Miami-Dade County which authorizes the ad valorem tax exemption for historic preservation.

LEGISLATIVE ANALYSIS

RESOLUTION FURTHER AMENDING RESOLUTION NO. R-985-03 TO REQUIRE THAT EACH YEAR A SECOND RFP PROCESS BE CONDUCTED AND PROVIDING FOR ALLOCATION OF ANY REMAINING FUNDS

Chairman Joe A. Martinez

I. SUMMARY

The Resolution requires an RFP before any commission district's share of unallocated special pool CBO funds can be allocated to high needs projects in another district.

II. PRESENT SITUATION

Resolution 985-03, adopted on September 11, 2003 (Legistar #040875), provides:

- The County will continue to award funds to CBOs providing health and social services through the Alliance for Human Services;
- The Alliance shall establish special pool of CBO funds, not to exceed \$100,000 per commission district;
- These special pool CBO funds are allocated via a mini-RFP process to small CBOs (with annual budgets up to \$300,000) for grants of \$15,000-25,000;
- Any district's share of unallocated special pool CBO funds shall be allocated to fund projects located in high needs districts, which did not receive initial funding because the projects exceeded the district's share of special pool funding.

Resolution 515-04 amended Resolution 985-03, to provide that a district may have a second RFP process for unallocated special pool CBO funds **prior** to them being allocated to high needs districts. It also provided that CBOs with annual budgets up to \$1 million and municipalities may participate in the mini-RFP process.

III. POLICY CHANGE AND IMPLICATION

The Resolution represents a continuation of County policy to award special pool CBO funds through the Alliance for Human Services, allocated among commission districts.

IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

None.

LEGISLATIVE ANALYSIS

RESOLUTIO 2004-110 OF THE CITY OF DORAL CALLING FOR THE COUNTY COMMISSION TO APPROVE A CITY OF DORAL PROPOSED CHARTER AMENDMENT

Clerk of the Board

I. SUMMARY

The Doral City Council calls for the Miami-Dade County Commission to approve a Charter Amendment for the City of Doral. This resolution proposes an ordinance for Charter Amendment which needs an approval of two-thirds (2/3) of the members of the Commission to provide an election date to place the amendment on the ballot for Doral constituents to vote on.

The Question that will be provided on the ballot:

City of Doral's Regulation of Section 8, Township 53 South, Range 40 East

Shall the Charter of the City of Doral be amended to vest with the City, rather than the County, regulatory authority over comprehensive and land use planning, and building and zoning for Section 8, Township 53 South, Range 40 East, located in the City of Doral?

Yes ☐

No ☐

II. PRESENT SITUATION

- The respective property (Section 8, Township 53 South, Range 40 East) is currently under the jurisdiction of Miami-Dade County.
- With the exception, of a small piece of the property that is a FPL subsection and another small area that has an active rockmining operation, Section 8, Township 53 South, Range 40 East is vacant.
- The property is currently zoned for GU & TND.
 - 1. **GU-** Interim Uses depend on character of neighborhood; otherwise EU-2 standards apply. (EU-2-Estates 1 Family 5 Acres Gross)
 - 2. **TND-** Traditional Neighborhood District 40 Acres Gross min. Mixed Uses
- The Department of Planning and Zoning has expressed that Section 8, Township 53 South, Range 40 East is being proposed for residential development.
- The department has also expressed that several zoning applications are pending in the property's adjacent area.

BCC ITEM 15(B)(5)

June 21, 2005

- Section 8, Township 53 South, Range 40 East was also the subject of recent CDMP application. The applications were approved on a modified basis.

III. POLICY CHANGE AND IMPLICATION

The City of Doral will have authority to regulate the comprehensive land use, planning, building, and zoning for Section 8, Township 53 South, Range 40 East (located in the City of Doral).